

# **Hybrid Security Governance Project Final Draft Paper**

## **Policing Actors, Plural Processes and Hybridisation: Histories of Everyday Policing Practice in Central Nigeria**

**By**

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### **Introduction**

The main research objective of this paper is to account for historical and contemporary hybrid dynamics of everyday policing practice in selected areas of central Nigeria. I have adopted a broad definition of policing: refers to all organised activity and services provided by statutory and non-statutory institutions that seek to ensure and maintain law, order and security. In a traditional state-centric sense, the provision of security and the maintenance of law and order are the responsibility of the state to citizens. State security and justice institutions are therefore statutorily mandated to provide security, guarantee the safety of citizens and secure public and private property. We are however, invited and encouraged to consider and adopt notions of plurality<sup>1</sup> and hybridity<sup>2</sup>; exactly because in various contexts around the globe the state is not alone in providing security and enforcing law and order, it is the plurality of actors and the plurality of practice that constitute a hybrid context of security provisioning. Our understanding is enriched when we consider the relationships and interactions between state and non-state actors in relation to administrative, and security functions. My approach to the conception of security, law, and order are not strictly resident within the concept of the state; here it is diffused within a plural or hybrid context. Law is conceived as a variable, the questions and

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<sup>1</sup> Bruce Baker calls it Multi-Choice Policing; see Baker, Multi-Choice Policing in Africa, Uppsala: Nordiska Afrikainstitutet, 2008

<sup>2</sup> Niagale Bagayoko, Eboe Hutchful, and Robin Luckham, Hybrid Security Governance in Africa: Rethinking the Foundations of Security, Justice and Legitimate Public Authority, Conflict, Security, and Development, 16:1, (2016), 1-32, DOI:10.1080/14678802.2016.1136137.

methodology are focused on seeing security, law and order as analytical concepts.<sup>3</sup> It is not given, and not normative; rather understanding and insight emerge from studying the context and subsequently engaging in comparisons over time and space. Law therefore has many existences, it could be embodied in a written text, or it can also exist in the knowledge of a given people.<sup>4</sup> An instance would be Northern Nigeria where we find customary courts of appeal, and sharia courts of appeal with the same jurisdiction as the state high courts, presiding over specific cases that draw their legal codes from customs, traditions and Islam. It is also important to note that, the notion of plurality as I use it in this paper does not suggest that legal codes or orders are on an equal footing; my basic point is that they are in interaction. In my conceptualisation and understanding drawn from central Nigeria, any approach or notion that argues for the existence of a centralist mono-legal or policing construct historically or in the current landscape would remain at the level of myth.

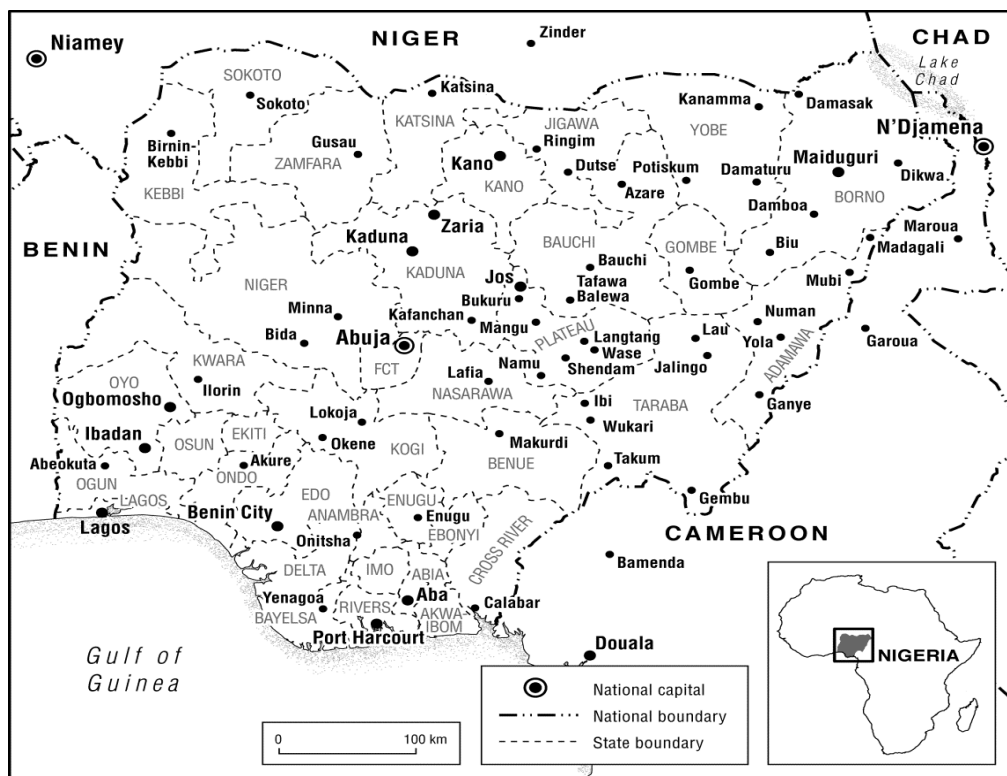
In this sense, policing is thus a phenomenon that is characterised by cooperation, co-option, and at times conflict amongst the varied actors engaged in security provisioning. It then follows that the conceptualisation of policing, as I have used it and argued from the historical study but also the current, is a mode of statecraft, a means of governing, situated within a plural landscape, that is shaped by political, economic and social interest and not simply a technical function of state confined to the lens of the criminologist.<sup>5</sup> For the avoidance of doubt, the main argument of the paper is that violence is imbedded in policing practice, and the activities and relationship between the Nigerian Police Force (NPF) and the Vigilante Group of Nigeria (VGN), tells us about it. Additionally, the policing practice and violence the paper has focused on is violence for confessional purposes rather than punishment and punitive.

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<sup>3</sup> Benda-Beckman, Franz von, "Who's Afraid of Legal Pluralism?" *Journal of Legal Pluralism*, 47, 2002: 40.

<sup>4</sup> Ibid, 65-66.

<sup>5</sup> See Helene Maria Kyed, Review of Multi-Choice Policing in Africa by Bruce Baker, *The Journal of Modern African Studies*, 47, (2009), 154-155.



**Figure 1: The Federal Republic of Nigeria showing its thirty-six states and some major towns in core area of my current research in Plateau State.<sup>6</sup>**

### **Conceptual Framework: The Relationship between Plurality/Hybridity and Violence**

Violence in this paper is understood in its basic meaning: as action or behaviour involving physical force intended to injure, impair or cause the death of someone or something, “a form of power, it is a doing-to and a being-done-to, the object of which is the human body.”<sup>7</sup>

Following on this premise, I contextualised violence in two analytical frameworks, violence as routinised everyday practice, and violence as manifest by epic outbreaks of sectarian collective

<sup>6</sup> Map taken from: Adam Higazi and Jimam Lar, “Articulations of Belonging: The Politics of Ethnic and Religious Pluralism in Bauchi and Gombe States, North-East Nigeria “. *Africa* 85, 1, (2015):103-130.

<sup>7</sup>Trutz von Trotha, “The Problem of Violence: Some Theoretical Remarks about ‘Regulative Orders of Violence’, Political Heterarchy, and Dispute Resolution beyond the State”, in *The Problem of Violence: Local Conflict Settlement in Contemporary Africa*, Georg Klute and Birgit Embalo eds., (Rudiger Koppe Verlag, Koln,2011), 34.

violence. My understanding and conceptualisation of the concept of violence is informed by a significant departure from literature that has focused on historical and contemporary patterns of collective epic violence. This literature has featured and analysed ethno-religious, identity-based conflicts, emerging from inter-group disputes, often drawing on historical narratives and contestations over belonging, with variations between urban and rural areas. On the other hand, I argue that there is a paucity of studies that explore violence as everyday policing practice. To be clear, where there are exceptions that study violence as everyday policing, there is a reluctance to explore how such practices are embedded within policing practice in a field where state and non-state actors converge, interact and reproduce former, and sometimes new forms of policing practice.

What connects these conceptions is how I have deployed all in understanding a sociological history of plural policing. My conceptualisations of violence are informed by scholarly insights drawn from some considered thinkers. In his essay ‘The Critique of Violence,’ Walter Benjamin extrapolates the difference between divine and mythic violence. Mythic violence is understood as legalised violence. According to Benjamin, mythic violence has a close relationship with the law, in the sense that the instating and maintaining of the law requires coercion, which is inflicted on a body. Divine violence on the other hand is the antithesis of mythic violence; it is a break in accountability, divine violence stands in opposition to mythic violence. Benjamin writes, “...if mythic violence is law making, divine violence is law destroying; if the former sets boundaries, the latter destroys them; ...if the former is bloody, the latter is lethal without spilling blood.”<sup>8</sup> Relying on Benjamin as his theoretical inspiration, Slavoj Žižek develops an understanding of violence that is expressed in a dual conception.

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<sup>8</sup>Walter Benjamin, “Critique of Violence” in *Reflections: Essays, Aphorisms, Autobiographical Writings*, Peter Demetz, ed., (Schocken Books, New York, 1986), 297.

According to Žižek, what we identify and recognise as acts of crime, sectarian violence, and (physical violence) is subjective violence - there is a clearly identified subject responsible. Subjective violence is thus understood “as a perturbation of the normal peaceful state of things.”<sup>9</sup> In contrast, objective violence is understood as violence, which is “inherent to the normal state of things.”<sup>10</sup> Objective violence goes on according to Žižek, without us noticing, because what we usually notice is a disruption of the recognised and accepted order; objective violence is that which is invisibly perpetrated so that the established order continues uninterrupted.

With objective violence, my understanding revolves around an extrapolation of violence as a tool for regulating societal order. The manifestation of subjective and mythic violence is therefore captured in my notion of routinised everyday violence. This violence is historically rooted in the colonial formation of the Nigerian state. In other words, state power in the socio-political context that I study has always been accompanied or preceded by violence. According to Fanon, physical violence was used to inaugurate the colonial state, and along with structural violence, it was deployed to sustain it; as Fanon has claimed, “colonialism is violence in its natural state.”<sup>11</sup> Fanon equally extrapolates on the progressive properties of violence as a tool for liberation. Having captured the condition and suffering of the colonised, violence is therefore a viable means to achieve the goal of liberation.<sup>12</sup> Consequently, violence had to be employed to enforce the colonial mandate. Metaphorical, in the Fanonian conception, violence is like a knife with the power to be channelled for good and equally for evil ends. Routinised

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<sup>9</sup>Slavoj Žižek, *Violence: Six Sideways Reflections*, (London: Profile Books, 2008), 2.

<sup>10</sup>*Ibid.*

<sup>11</sup>Fanon, Franz, *The Wretched of the Earth*, (Grove Press, 1968), 40.

<sup>12</sup> Fanon, Franz, *The Wretched of the Earth*, (Harmondsworth: Penguin Books, 2001)

violence therefore relates to forms and practices of legitimated violence inherent in policing authorities, who make claims to what von Trotha has termed “regulative orders of violence.”<sup>13</sup>

Following from the foregone analysis, the paper will attempt to answer the following questions:

1. What are the historical and contemporary practices of policing actors as it relates to violence and policing practice?
2. How does this manifest in everyday hybrid/plural policing practice of state and non-state policing actors?
3. What is the impact of this on citizens, particularly as it relates to structures of power and vulnerable groups?

The paper draws from my existing work on histories of plural policing practice in Nigeria from the late colonial period to the present. I have primarily deployed a historical approach embedded in qualitative methods. This is to specifically account for the origins and changing forms of policing. To examine the contemporary manifestations, selected ethnographic methods are used to complement the historical methods of data collection. I have done extensive fieldwork, with several months spent in urban and rural central Nigeria. I have also gathered archival material in Jos, Kaduna, and London. I recorded many personal histories and accounts of individuals and groups. Among those interviewed were serving and retired police officers, retired Native Authority Police (NAPF) officers, local government officials, community leaders, women leaders, vigilante group leaders and members, traditional rulers, youth leaders, and former British colonial officers. To conduct this study, I selected some specific local government areas. The study is not attempting a systematic coverage of the whole Plateau State; I have rather selected local government areas for understanding everyday violence and hybrid/plural policing practice.

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<sup>13</sup>von Trotha “The Problem of Violence”

## **The Methodology of Everyday Policing Practice: The Police and the VGN**

The manifestation of hybridisation and plural policing practice has thrived on the critical role which the state (The Police) has played in sanctioning and legitimating non-state policing actors. In return, the VGN have through their practices acted as agents of state power and thus contributed in legitimating the authority of the state. This is although on occasion, vigilante discourses have seemed to be against the state, their actions however have revealed an unqualified ambition to be part of the state policing system.

One of the more prominent and visible forms of policing that the vigilante groups have copied from the police is the operational idea of the patrol. This remains the most feasible operational method of checking and curtailing the activities of criminals. For the vigilantes' patrol is often not motorised, as there are only but a few vigilante detachments that have patrol cars.<sup>14</sup> Vigilante patrol is a foot patrol, mostly at night when the community is sleeping. The vigilantes are awake engaging in the arduous work that allows the community to sleep safely at night. As part of my fieldwork I spent time with vigilante members on patrol and policing at checkpoints mounted on the major road linking the Jos Plateau to the Plateau lowlands. The checkpoints observed were specifically mounted to counter a wave of armed robbery on this major road. My participation in these night patrols and checkpoints was important because it reveals first-hand the dynamics of operational interaction between the police and the VGN at the local level. In all the interviews, I conducted with retired and current vigilante members, the patrol is widespread practice. The patrol was the very first policing practice that vigilante groups' members imbibed. Similarly, as the Nigerian police instituted the practice of roadblocks and checkpoints into patrol practice, vigilante groups began doing the same. The practice of

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<sup>14</sup> However, as of July 2015, while I was concluding fieldwork the Plateau state government distributed patrol vans for the VGN in the 17 local government areas.

vigilante patrols has continued to be part of contemporary vigilante policing practice. The basic operational equipment that vigilante members require for night patrol include flashlights, warm clothing, raincoats, boots, and whistles. I present two accounts drawn from my observation of vigilante patrols:

### **Account One: The Check Point -Night Road Patrol**

To patrol the town at night means not only policing the town's residents: you are also policing night travellers who are either arriving in the town or passing through to a neighbouring or a distant destination. Usually from 11:30pm or 12:00 midnight, road blocks are set up with logs of wood and wood planks with a line of nails dangerously sprouting out. A motorist who is defiant and does not stop will of course have his/her tyres punctured. From afar an approaching vehicle sees the bright light burning off a thread soaked in kerosene. At first commuters, would assume that policemen man the checkpoints; only when one arrives at the roadblock does one realize that one is dealing not just with policemen but also with a local town vigilante. Sometimes the routine takes just a few minutes: asking about identification, where the travellers are coming from, and their destination. If the vigilantes are satisfied, they allow the vehicle to proceed; if they are not, they request the commuters to disembark and they commence a check. I have witnessed episodes where drivers arrived at our checkpoint with their hands motioning to hand over money, but on some occasions, they were berated and accused of trying to hide something. The area is still part of a larger conflict zone and has witnessed cyclical violence, so such drivers could be accused of trying to hide arms. On other occasions, the vigilantes take the money and allow the vehicle to pass. Usually in the morning, all the men assemble at the local chief's house for a debriefing session, after which they are dismissed until the evening. The checkpoint is more than a security post, it is equally a place where men, young and old, converge and engage in discussions over a variety of issues. There



is conversation about local politics and gossip, about wives and about girlfriends. Also of interest are discussions about football from the European leagues, usually people can watch the matches live for a small entrance fee. The live transmission is courtesy of cable sports networks like the South African channel Super Sports – Multi Choice. Discussions and debates on Real Madrid and Barcelona, Manchester United, Arsenal and Chelsea can get very frenzied and heated. The checkpoint therefore becomes a social forum where friendship is cultivated and nourished. For these individuals, it is a place where police and vigilantes meet, here as fellow members of the policing institution. The vigilante members enjoy the camaraderie that accompanies their association with the police. It is another reminder of the active practice of the VGN members to be recognised by the community as policing agents of the state.

The group of individuals on duty usually take turn to wait at the checkpoint and to patrol around the neighbourhoods. On a, given night, there are usually 8-10 personnel on duty around this quarter of the town. Four to five individuals remain by the checkpoint while others go on patrol in pairs, or in groups of three. For those operating the checkpoint, there are normally at least two armed police officers with two or three VGN members. Those on patrol usually have at least one-armed police officer, with two VGN members. There were however, instances where I accompanied two VGN members without a police officer with us. When on patrol, there is usually awareness not to make too much noise. The idea of patrol is to catch offenders, and not to alert them and allow them to escape. The financial patronage that comes from prominent members of the community does encourage the VGN to give more attention and security to them. Simply put it creates a means of a livelihood. At first glance though this is not clear; when you first pose the question of what motivates individuals to volunteer, earning money and favours is not admitted as a motivation; rather altruistic factors are mentioned. However, when you spend several weeks on night patrol with the groups it becomes clear that vigilantism

is not an altruistic pastime. Vigilantism has increased in prestige, consequently social legitimacy and popular acceptance is high within the communities these groups operate in. The foregone description refers to a contemporary manifestation, and is further evidence of the institutionalisation processes. Therefore, vigilante groups in their practice bring positive elements to hybrid relationships. When I first conducted field research in 2012, in interviews recorded with leaders and members of the VGN, most of them lamented the lack of support from the local government and a general lack of uniforms, boots, torchlights, and other policing paraphernalia. They always took the opportunity to emphasise the dire situation in which they were doing the job. When I returned in 2015, the change in the fortunes of the VGN was conspicuous. Lamentations had not necessarily ceased, but they were now tempered with some level of contentment. New uniforms had been procured and distributed; the cooperation with the police had been deepened. Activities like the highway checkpoints described previously, provided the VGN with elevated levels of visibility, recognition and legitimacy.

### **Account Two: The Checkpoint-Daytime Highway Patrol**

Another form of vigilante patrol is the highway checkpoint. The critical importance of the checkpoint is to carry out security checks on travellers, to curb the menace of robbery along the road. The background of the checkpoint is a consequence of the sectarian violence that swept the area a decade ago – the legacy of the violence is the proliferation of small arms. It is these arms that criminal elements have used to perpetrate crimes on the highway. The local government commander of the VGN, Nicodemus Ngozi Chukwu, a motorcycle mechanic who arrived in the area in the early 1980s outlines the objectives behind setting up the checkpoints:

...the major challenge we had was a sudden rise in arm robbery  
on this road. In the past, these were occasional cases at night,  
those responsible were outsiders. Unfortunately, because of the

crisis and violence there are so much arms circulating and when you have a lot of young men with no livelihood, no jobs this is what happens. The robbery cases were particularly alarming because it was occurring in the daytime. We had consultations with the police and it was agreed that we mount the checkpoints. It was our initiative and the divisional police officer in charge of the local government area said we should go ahead.<sup>15</sup>

The VGN take turns in working at the checkpoints. The commander prepares a weekly roster of three duty schedules: morning, afternoon, and evening. There are three checkpoints on the road, manned by the local government VGN. During a duty schedule, I observed that there are normally six-seven men operating the checkpoints. This number is not constant as sometimes some VGN members take an excuse to attend to pressing family matters. The checkpoints are made with large stones situated on the road to create a single zigzagged lane. This means the way of passage is alternated between the opposing directions. On busy market days, there is more traffic on the highway. Motorists would therefore spend more time at the checkpoints.

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<sup>15</sup> Nicodemus Ngozi Chukwu, interviewed by Jimam Lar, Kabwir, Kanke Local Government Area, 09.01.2015.



**Figure 2: The Checkpoint-Daytime Highway Patrol (Pankshin-Dengi-Langtang Road) 9.01.2015.**

The procedure I witnessed is essentially routinised. A car arrives, and after an exchange of pleasantries the VGN ask the driver of his point of origin and destination. After which they inquire what the driver is carrying in the boot of the car. Often if the car is on commercial business, the boot will contain the personal effects and luggage of the passengers. The next decision is the critical one for the vigilante members on duty, and more so for the driver and passengers. Whereas these exchanges may last for a few seconds, or at most a minute or two, if the vigilante members decide that the car should be checked then the driver and passengers could be held up for a period of thirty minutes to an hour while the vigilante members conduct their check. Bags are opened and the car seats are searched. This therefore means that to avoid the check, and the delay that comes with it, some drivers decide to pay off the vigilantes and hope to get expedient passage. I have witnessed a varied reaction to this. While on very rare occasions the VGN members would frown and still demand to search the cars, often it serves as a means of easy passage and the search is not conducted. The challenge here is that VGN members are sent out to patrol without much incentive. Therefore, it is not unexpected that the

checkpoint is not a point of checking the proliferation of arms; rather it becomes a means of generating funds. The incidence of armed robbery may have been curtailed, as the VGN commander proudly reports during my conversation with him. However, another practice is inadvertently recreated. The VGN members turn out in a mixture of attires. Some are kitted in the complete VGN uniform, others are garbed in a combination of VGN, police, military, and the National Youth Service Corps (NYSC) uniforms. As one of the vigilantes responded when I inquired why they wear such a mix "...to look official he answered."<sup>16</sup> Again, the importance of the uniform as a symbol of authority and legitimation is made clear. Another feature of the checkpoints is the tools used for the job. The VGN members also carry an assortment of weapons; some have dane guns (popular amongst hunters), machetes, sticks etc.

### **Record Keeping**

Vigilante groups have also become proficient in the practice of record keeping, or to be more precise keeping evidence against suspects and offenders. One of the essential aspects of police practice is the process of collecting evidence and information and processing it. It is critical important to assemble the facts of a case, obtain and record statements, and ensure that all exhibits are collected, labelled and safely kept. All these documents and materials are stored in case files. Vigilante groups have adopted this practice, but because of limited literacy levels vigilante policing, rather than collect written statements, prefers to collect oral statements of suspects. On completion of an interrogation, the photographs of the suspect are usually taken with the stolen item in cases of theft and robbery. The photographs are then printed and used as evidence handed over to the police. During interviews with the vigilante public relations officer of Pankshin LGA, Monday Joshua, the pictures of offenders taken over the years were used to render the account of what transpired in each case. He narrates the procedure of handing over evidence to the police, thus:

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<sup>16</sup> Group Interview, VGN Kanke, by Jimam Lar, at Checkpoint, Pankshin -Kanke-Langtang Road, 10.01.2015.

We learned this practice from our elders. Those who started this work in the 1980s. Whenever we catch a suspect and confirm that he committed the offence or crime, when we are handing over to the police, they require evidence; usually, an oral statement is not adequate, this was why the former vigilante members began taking pictures and we still do it. For example, if it is a case of theft or robbery, we always snap the thief with the stolen items and when we go to court we do not need to talk much, the picture does all the talking.<sup>17</sup>

Pictures are also relevant for the wards and units to communicate to the local government commander that they are not resting on their laurels.

### **The Uniform**

For a vigilante group member aspiring for recognition as part of the policing system - 'stateness' is bestowed by the mastery of how to talk (the language of policing), how to act (the everyday practice of policing), and what one wears (symbols of policing).<sup>18</sup> The uniform is the principal symbolic marker of stateness, the instinctive symbol of officiousness; it is a signifier, an insignia of authority. It bestows on the police and the vigilante the legitimacy to act. The expectation is that such action will be in the interest of the public good, but as I have shown in this study, it is not always the case. Osoba captures the role of the uniform in the misappropriation of authority when he notes that "There is no tyrant more vicious, narrow-

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<sup>17</sup> Monday Joshua, Interviewed by Jimam Lar, Pankshin, 08.01.2015.

<sup>18</sup> Steffen Jensen, "Security and violence on the frontier of the state: vigilant citizens in Nkomazi, South Africa," in *Violence and Non-Violence in Africa*, Pal Ahluwalia, Louise Bethlehem, and Ruth Ginio, eds. (London and New York: Routledge, 2007), 118.

minded, self-centred and insufferably exhibitionist than a primary educated Nigerian dressed in a brief robe of authority.”<sup>19</sup> However, as I have repeatedly argued, there is more to it than this, as the power of the uniform is twofold: it grants a person the power to construct a livelihood, a relationship, and access to state services, as well as the power to destroy a livelihood, a relationship, and access.<sup>20</sup> In a sense, the uniform speaks to the aspirations of vigilante group members desirous of being part of the state policing system; it also shows the public, the community, that the vigilante can act for and on behalf of the police. Once in uniform, the vigilante member is not required to convince others of his authority. The uniform, as Poppe has argued, is visible proof that one is entitled to act as a law enforcer. In this sense, they (vigilantes) emerge as mediators between the state and the community.<sup>21</sup>

The uniform is equally a symbol of hierarchy. Another abiding evidence of the combined influence of the army and police on vigilante policing practice is the hierarchical structure of the vigilante rank system. The titles of the ranks carried by vigilante officers and men are tailored more towards the military and the police. Some examples will suffice: The rank of the National Chairman is designated as the Commander General, with six Deputy Commander Generals. There are Commanders in charge of Community Security, Arms Control, Conflict Resolution, Anti-Robbery, and Anti-Terrorism. Designations of a commanding officer smack more of military practice; the police more of inspectors and superintendents. When one looks at lower ranks, the similarity to police ranks is evident. The local government Chairman of the VGN is designated a Superintendent, a ward head has the rank of an Inspector, and a unit head usually in charge of a village detachment is designated as a Sergeant.<sup>22</sup> The ranks on the

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<sup>19</sup> Segun O. Osoba, “Factors Militating against Creative and Socially Relevant Intellectual Activity in Colonial and Post-Colonial Nigeria,” in *The Indigenous for National Development*, G.O. Onobonoje, K. Omotoso and D.A. Lawal, eds. (Ibadan: Onobonoje Press and Book Industries, 1976), 71-97.

<sup>20</sup> Julie Poppe, Julie “The Power of the Uniform: Paramilitary Foresters and Rangers at the W Park, Burkina Faso.” *Sociologus*, vol. 63, (2013), 28. doi:10.3790/soc.63.1-2.11

<sup>21</sup> *Ibid.*, 28.

<sup>22</sup> Alhaji Garba Juji, interviewed by Ibrahim Yunus, 26.09.14

uniforms are not just for the sake of it, it is much more than window dressing, a superior vigilante officer does have authority to give orders and commands to his subordinates and the subordinates are obliged to obey. Moreover, there are sanctions and penalties in the event of disobedience or insubordination.

While conducting field research amongst the vigilant groups some specific repertoires demonstrate how vigilante groups seek to exercise authority and build legitimacy. The recruitment process has been made officious and formal; the process can be divided into three main stages: the application form of membership; vetting by the local chief (usually ward head); and interview by the local police and final selection. For the successful few, uniforms are procured; identity cards are issued and rudimentary paramilitary training given. As part of a national association, vigilante members in the current typology are keen to be identified as extensions of state institutions. Primarily an individual should volunteer.

## **Violence as Policing Practice**

### **Understanding Vigilante Interrogation**

Drawing from accounts of past interrogation episodes and more recent witnessed acts of interrogation, we can understand the process of vigilante interrogation. Interrogation in vigilante practice means a plethora of acts. This varies from one town and village to another. The universal acts would include caning, slaps, threats, and some specific forms of stress positions. From the information gathered, most of these practices with some exceptions like flogging first began with the community based vigilante groups of the early 1980s. To illustrate what vigilante interrogation entails, I present two instances of stress positions that vigilante groups use in interrogating suspects and coercing confessions. These are drawn from Shendam LGA and Langtang North LGA. According to the vigilante members their interrogation methods of choice are, first subjecting the suspect to frog jumping not as a muscle



strengthening exercise and pastime but rather frog jumping as a pain-inducing, humiliating prelude to inquisition. Very popular in Nigerian secondary schools, it entails the holding of ears and jumping while in a squatting position. When done repeatedly, the thighs are strained and it does become very painful. The suspect would be subjected to frog jumping until he/she agrees to confess and tell the truth, usually accepting responsibility for stealing. The vigilante members added that there are instances when the suspect is whipped while frog jumping and this is to increase the pain and expedite a confession.<sup>23</sup> The vigilantes also use another stress position technique as an interrogation tool locally referred to as *lilon Mecca*<sup>24</sup> (Mecca Swing). *Lilon Mecca* entails hanging on a pole with the arms tied to the ankles; the pole is situated on two branches of a tree or alternatively supported by two pillars with the suspect hanging on the pole, held up by the arms. The strain and pain is felt on the shoulder joints, and the hollow under the base of the shoulder. The vigilantes recounted that *lilon Mecca* is particularly reserved for stubborn and headstrong suspects. It has been used for interrogation since the 1980s, and is still used by the current vigilante group members in the area.

The vigilante group members also talked about another technique used in interrogation, aptly named the ‘talk true.’ As the name suggest, this technique is used to get the suspect to tell the truth, or to confess to an offence he/she is believed to have committed. The ‘talk true’ is basically four slim wooden bars about 10 inches in length, held in pairs by four short iron rods, with screws used to tighten the grip of the wooden bars on the offender’s lower legs, or the tops of the ankle. During interrogation, a strike on the wood impacts on the bone, the vigilante members continue the process until they induce a confession. With such excruciating pain, it is possible that confessions could be made from duress. However, they argue that when they

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<sup>23</sup> Group Interview, current and former vigilante members, Shimankar, by Jimam Lar, 15.11.2014.

<sup>24</sup> As much as I tried, none of the vigilante members interviewed could explain why the technique was named *lilon Mecca*.

subject suspects to such interrogation techniques, usually they have already gathered substantial evidence proving culpability. This practice has equally been in use since the vigilante groups of the early 1980s and is still part of the interrogation techniques of current vigilante groups.

### **The Arenas of Public Shame**

I could not establish where and when the much-preferred vigilante punishment of subjecting suspects to the ‘dance of shame’ originated. What is however clear from the data, as demonstrated by the vigilante profiles examined in the section above, it was the penalty of choice adopted by vigilante groups across the state in the 1980s, and still practiced by rural based vigilante groups. It is my contention that, in subjecting an individual to this dance of shame what we see are specifically crafted stages in a performance that comprises multiple objectives, namely: to punish the offender, to generate income and to gain and sustain social legitimacy.

Sandra Walklate<sup>25</sup> has written about ‘public arenas of shame’ in her analysis of informal crime management in Salford, Greater Manchester, UK in the 1990s. She makes a very apt point about the function of shaming offenders who contravene societal norms and values in public places where the community usually converges for commercial and social exchanges. According to Walklate, such public arenas of shame are usually areas where:

...nearly all the local amenities are located: a supermarket, a chemist, a betting shop, a job shop, a post office, a public house and hardware store. This area provides the physical location and space for ‘public shaming’ ceremonies. In other words, if there is graffiti to be written,

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<sup>25</sup> Sandra Walklate, *Informal Crime Management in a Northern British City: Crime Fear and Locality*, in *Informal Criminal Justice*, Dermot Feenan ed., (Dartmouth: Ashgate, 2002), 86.

and if there is graffiti to be written about a person, who it is believed has ‘grassed’<sup>26</sup>, then their name will appear in this location. It is here that people are named for the rest of the community to see: and since this is the only place where there are any local amenities in this locality, it serves its purpose as a public arena of shame very well.<sup>27</sup>

In the towns and villages of 1980s Plateau State, the public arenas of shame are the local market squares. There are usually designated market days, and the markets range from major hubs of commerce to small village markets where people will converge to socialise while enjoying the local brew. The act is stage managed to not only expose the suspected offender to public ridicule; also important is to demonstrate that the VGN in the area is working. In some towns, local amenities will include a supermarket shop, a local drugs store, bars and eateries, small scale vegetable sellers, a barber’s shop, etc. In the major towns, and the state capital Jos, vigilante members no longer practice the dance of shame. The urban vigilantes have a higher ambition to be seen more like the police; therefore, they have discouraged such practices as they refer to it as “olden day’s vigilante practice.” Amongst the rural vigilante members however, the dance of shame is still part of their practice. It is still constitutive of vigilante practice. In villages, the market square is of a modest level and while there is indeed commerce going on, people regularly congregate to socialise and catch up with the latest news. Therefore, the market square becomes the best location to demonstrate that vigilantes are working hard to rid the community of undesirable elements. Furthermore, displaying such offenders also serves the purpose of reminding community members of their responsibility to the vigilante group. This is by showing their appreciation with monetary gifts.

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<sup>26</sup> According to Walklate, grassing was the local colloquial name for snitching. The interesting point being that there were accepted offences of which gang members would not be expected to snitch about others.

<sup>27</sup> Walklate, “Informal Crime Management” ...

I witnessed such a practice in Langtang North, in January 2015. The dance of shame is referred to locally as *tabakaka*. The case I witnessed involved two young men, in their early twenties. The local vigilante members had caught them with two goats the night before. According to the young men, the goats belonged to their father and had gone missing; they had simply found them and were taking them back home. The vigilante members were not satisfied with the story. They detained the boys until morning and on inquiring from their Dad found as expected that the two had lied. Following further interrogation and flogging the young men confessed to have stolen the goats from a neighbouring village. The ordeal began in the late afternoon. The young men were stripped of their shirts and given goat-hides to carry on their heads, and a local drummer with a constant repetitive beat followed them around the village as they made their way to the market square.

After the dance of shame,<sup>28</sup> in this case, the whole episode lasted for 2 hours, the vigilante groups handed over the suspects to the police and returned the goats to the owner. The grateful owner of the goats gave a monetary gift of 2,000 Nigerian naira (10 euros) to the vigilante group. I witnessed people dropping money into a polythene bag as we made our way around the village and in the market square; however, I was not told how much was raised from the dance of shame. This is just an example of what transpires. Witnessing it, one can see how once labelled a suspect an individual loses all rights and claims to dignity. Rather the suspect is an object of scorn, disgrace and embarrassment. Pratten has argued that shaming through this public performance should be seen against a range of social control mechanisms. In his study of vigilantism amongst the Annang of southern Nigeria the important mechanisms

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<sup>28</sup> For a similar comparative example of the practice, see Pratten, David "Singing thieves: history and practice in Nigerian popular justice", in Pratten, David and Sen, Artreyee (Eds). *Global Vigilantes: Perspective on Justice and Violence*. London: Hurst, 2007, 195.

identified were oath taking and songs.<sup>29</sup> What is at play here in our context is a display of the hybrid convergence of the moral and legal community at work. The language used to interrogate and declare guilt is drawn from the legal penal community. The act of punishing inculcates the contextual moral community, to be punished is to be disgraced and to be subjected to pain; physical and psychological. The first step in this process is the process of labelling, as a suspect, a qualification to be interrogated and as an offender, a qualification to be punished. Ray Abrahams, to explore the role of language and especially rhetoric in different areas of vigilante activity,<sup>30</sup> considers the question of the negative implications of the human capacity for classification and labelling.<sup>31</sup> According to Abrahams, when vigilante groups construct moral codes of good and evil, they can easily be led to mistake the label for the labelled. What follows in practice is that these labels once invoked tend to follow in a linear progression; once an individual is designated a suspect, it is a matter of time before he becomes an offender. A label, as Abrahams has argued often has a lethal quality as it can be accompanied by beatings, torturing, and lynching.<sup>32</sup>

### **Corporal Punishment and Policing Practice**

The relevance of corporal punishment in policing is best expressed in the vigilante group's authority to punish. In a sense, it performs two functions. First, it confirms the vigilante group's capacity and ability to punish the suspect by applying physical pain. The offender is not only exposed and humiliated; he/she is also subjected to physical pain. The recognised capacity to punish further legitimises the vigilante group's authority within society. Secondly, while vigilante members attribute their preference for corporal punishment to the socialisation they received from the police, police extra judicial practice has been understood as 'police

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<sup>29</sup> Ibid.

<sup>30</sup> Ray Abrahams, "What's in a Name? Some Thoughts of the Vocabulary of Vigilantism and Related Forms of 'Informal Criminal Justice'" *Informal Criminal Justice*, Dermot Feenan ed., (Dartmouth: Ashgate, 2002), 37.

<sup>31</sup> Ibid., 33.

<sup>32</sup> Ibid.

vigilantism'. Police vigilantism is when the police (individuals or groups) though being a legally constituted authority mimic the informal solutions of vigilante groups by engaging in extra-judicial action.<sup>33</sup> Here again we witness the hybridisation of policing practice.

Interestingly, this excessive culture of fierceness and severity in policing practice is also imbibed from police training and orientation, which is deliberately tilted towards the objective of creating policing men that are unruly and hardened. While this approach could find justification in dealing with hardened criminals, it has unfortunately alienated the police from the population it is meant to serve. This is still part of the processes of training and socialising new recruits in the military and the police.<sup>34</sup> Corporal punishment, for instance, remains as a legal penal sentence in Nigeria's law books. Suspected criminals often suffer the ordeal of severe beating and harassment from the police and indeed from vigilante groups. Sometimes this follows arrest and on other occasions as part of interrogation. The Penal Code equally provides for offenders to be sentenced to flogging. A basic scan of contemporary Nigerian newspapers reveals several reports of offenders convicted and sentenced by lower courts to flogging. I conducted such a survey myself in December 2014. The main newspaper I used was the *Daily Trust Newspaper*. The sentences ranged from ten strokes for attempted suicide;<sup>35</sup> another offender got fifteen strokes for criminal trespass and theft.<sup>36</sup> In another report, a court in Abuja convicted and sentenced an offender for the joint act of house breaking and theft, to six months in prison and 6 strokes of the cane.<sup>37</sup>

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<sup>33</sup> Ibid., 14.

<sup>34</sup> The Police officers' I interviewed repeatedly made this point. The point out that such practices are particularly prevalent in the training and orientation of lower rank police officers.

<sup>35</sup> Daily Trust, Abuja, 22.12.2014, 46.

<sup>36</sup> Daily Trust, Abuja, 29.12.2014.

<sup>37</sup> Daily Trust, Abuja, 20.11.2014, 48.

As I have discussed earlier, this form of violence (corporal punishment) was not however, restricted to “regulative orders” in different manifestations, but within the same logic it has been entrenched in a historical sense and it permeates the society. Violence has been to an extent legitimatised in Nigerian society, and varied agents of socialisation have ingrained this. For instance, in Plateau State the culture of ‘disciplinarity’ was a key feature of the church and educational institutions. The concept of discipline introduced within the educational system in Nigerian included the celebration of corporal punishment as a crucial tool of socialisation. This is also articulated in the law books. Article 55 (1) a. of the Penal Code with jurisdiction in Northern Nigeria clearly states that “Nothing is an offence which does not amount to the infliction of grievous hurt upon any person and which is done by a schoolmaster for correcting his child or ward, such child or ward being under eighteen years of age.”<sup>38</sup> The Criminal Code operative in the southern states of Nigeria equally has a similar provision that accepts violence as a means of socialisation. According to article 295, a blow or other force, not in any case extending to a wound or grievous harm, may be justified for correction. The orientation of responsible and good parenthood within the religious context was and still includes corporal punishment as an important form of parental punishment. The Penal Code (North) again article 55, “Nothing is an offence which does not amount to the infliction of grievous hurt upon any person and which is done, by a parent or guardian for correcting his child or ward, such child or ward being under eighteen years of age.”<sup>39</sup>

In many national contexts, violence is constitutive of policing practice. Police practice in Nigeria is rife with accounts and cases of brutality and violence, characterised by physical assault, harassment, illegal arrest and detention. There are reports of police excesses during

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<sup>38</sup> The Penal Code (Northern States), Article 55, (1), a.

<sup>39</sup> Ibid.

crime control operations, which range from crowd control, demonstration, and protest management to harassment at checkpoints. Police brutality also occurs in the form of extra-judicial killings and summarily executions of suspects.<sup>40</sup> Owen and Cooper-Knock have referred to this phenomenon as ‘police vigilantism’.<sup>41</sup> They specifically offer this explanation as a better way of understanding the phenomenon of extra-judicial corporal and capital punishment by the police. In sum, such police practices can be understood as a response to a critical public demand for vigilante policing. The expediency of punishment that vigilante policing offers appeals to citizens more than the sometimes cumbersome and tardy process of juridical prosecution and trial. This is a useful departure from arguments that situate such practices strictly within discourses of human rights abuse, with little or no effort to understand why the police engage in such practices.

### **Police and Vigilante Cooperation: Hybridisation<sup>42</sup> of Policing Practice**

In my exploration of plural policing it did emerge quite early that the best place to understand the relations between the police and other policing actors is at the local level. My approach has been to understand policing practice from the viewpoint of those who deliver it.

There are broadly two categories of vigilante cooperation with the police: those who are embedded in the police stations subordinate to the police, and those who work independently but in close cooperation with the police. In current practice, we observed the adoption and use

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<sup>40</sup> For statistics and more detail on police brutality and violence in Nigeria see E.E.O. Alemika and I Chukwuma, *Police Community Violence in Nigeria*, (Lagos: Center for Law Enforcement Education, 2000), and Folashade B. Okeshola, “Human Rights Abuse by Nigerian Police in Four Selected States and the Federal Capital Territory, Abuja,” *British Journal of Arts and Social Sciences*, 13, no.11, (2013), 242-250.

<sup>41</sup> Olly Owen and Sarah Jane Cooper-Knock, “Between vigilantism and bureaucracy: Improving our understanding of police work in Nigeria and South Africa”, *Theoretical Criminology*, (2014), doi: 10.1177/1362480614557306.

<sup>42</sup> For more on this please see Niagale Bagayoko, Eboe Hutchful, and Robin Luckham, *Hybrid Security Governance in Africa: Rethinking the Foundations of Security, Justice and Legitimate Public Authority*, *Conflict, Security, and Development*, 16:1, (2016), 1-32,



of two legal codes: a statutory code based on vigilante groups understanding of state policing, and vigilante codes drawn from historical practices.

Interestingly, as I have referred previously, the NPF as it has been argued also engage in what Owen and Cooper-Knock<sup>43</sup> have referred to as ‘vigilante policing’. This is a departure from definitions that regard vigilantes solely as ‘non-state actors’.<sup>44</sup> Vigilante policing as understood by Owen and Cooper-Knock suggests that the Police can behave in ways that mimic non-state actors who are termed as ‘vigilantes’. This again, is informed by the argument that police violence is a misnomer; as such, it is described as vigilante violence – when police as group or individuals act like vigilantes. As I have argued earlier, such violence is constitutive of policing practice. This violence exists to keep the normal run of affairs. This is not a debate of the rights and wrongs of such violence; the objective is to understand it for what it is, and further to explain how it functions. Herein lies the complexity: the police perpetrate violence as part of policing practice but they are also the authority that regulates it. In other words, the police endeavour to ensure that violence is controlled and as much as possible remains within the domain of policing.

In an interview with the Patrol and Guard Officer (P&G) in charge of one of the local government divisional police offices, there is a tacit acceptance that violence has a place in everyday policing practice. The P&G’s daily chore is posting police officers on patrol beats and guarding posts across the town. He also goes around inspecting and supervising, and attends to emergencies that may arise. The crucial point relevant here is his admittance of violence, which he describes as the “occasional necessity of ill-treatment to bring out the truth.”

In his own words:

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<sup>43</sup> Owen, and Cooper-Knock, “Between vigilantism and bureaucracy” *Theoretical Criminology*, 11-12.

<sup>44</sup> Johnston, “What is Vigilantism?” *British Journal of Criminology*, 220-223.

We made the VGN to understand how our work and theirs is very similar, and for them to appreciate the importance of professionalism. They have been working very well, in fact, we are indeed satisfied, the local government officials and the ward heads are also satisfied with the support and work of the VGN. The VGN have also learned how to deal with tricky situations, while we do not support torture and excessive violence – we understand when they have to use occasional ill treatment to bring out the truth. This can be tolerated because it helps to catch criminals and prevents criminality. We are always giving the VGN men lectures and closely supervising them.<sup>45</sup>

The police, as I understood their logic, have minimal problems if vigilante groups operate within the auspices of the NPF – or what the police hierarchy happily refer to as an aspect of community policing.

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<sup>45</sup> Police Patrol and Guard Officer, interviewed by Jimam Lar, Langtang, 10.01.2015.



**Figure 3: NPF Patrol and Guard Officer (P&G) Langtang North (in blue and black), next to him is the VGN Commander, Langtang North LGA.<sup>46</sup> 10.01.2015.**

What the police despise is when they (the police) do not have ‘authority’ over VGN practice. In sum, it is not the perpetrating of violence or illegality that the police find problematic. What is frowned upon, up to levels of condemnation, is when this is carried out independent of the police. On joint patrols, which I was part of consisting of the police and members of the VGN in Langtang North, and Shendam LGAs the police witnessed VGN members engaging in acts of policing violence and no observation or complaint was raised. The same police officers requested the VGN local government commander to reprimand two of his men for beating a motor cycle operator whom they accused of not paying market tolls in December 2012. The police it seems are particularly concerned when vigilante excesses are followed by a public

<sup>46</sup> The event is the weekly ‘lecture’, every Saturday morning VGN unit leaders converge in Langtang, the local government headquarters to give updates on their activities and to receive any valuable information.

outcry, so the police act to not only demonstrate to the VGN who is in charge, but more importantly to maintain and in some cases, regain social legitimacy. In her excellent and insightful 2012 paper<sup>47</sup>, “the Strength of Weak States: Non-State Security Forces and Hybrid Governance in Africa”, Kate Meagher interrogates and questions the celebration of non-state forms of order and authority. Making a compelling case for a more cautious approach and demanding far more empirical evidence if we are to embrace non-state order and authority. There is much to echo from Meagher’s analysis, as I have shown in the foregoing analysis of historical and contemporary practice of policing, it is important as Meagher has argued that we do not get into the trap of essentializing non-state forms of security provision and understand the relationship of state and non-state security actors, but more critical capture the basis for local legitimacy of non-state security actors.

Another dynamic I observed was the diverse ways in which senior police officers, like Commissioners of Police at state headquarters and their subordinates at the local government level understood the role and place of the VGN in the policing system. Senior police officers preferred to incorporate all citizen policing groups and formations within the ambit of community policing. The Divisional Police Officers (chief police officers) in charge of these local government areas were aware of the existence of these vigilante groups, and were more pragmatic. The extent to which the police are aware of the activities and operations of these groups varies across the state. In some local government areas, there is close monitoring and supervision; in others, the situation is much more relaxed. In discussions with community leaders from selected communities,<sup>48</sup> it was clear that some communities had adopted collective strategies to manage and prevent conflicts from breaking out into violent clashes. They

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<sup>47</sup> Kate Meagher, ‘The Strength of Weak States? Non-State Security Forces and Hybrid Governance in Africa’, *Development and Change*, vol. 43, 5: 1073-1101. doi: 10.1111/j1467-7660.2012.01794.

<sup>48</sup> District Head of Angwan Rukuba/Farin Gada – Jos, and John Bot, District Head of Rikkos.

identified constant communication and meetings between community leaders, establishment of neighbourhood watch committees with youths from the diverse groups that make up the community working together with the VGN.<sup>49</sup> The neighbourhood watch committees also serve as a quasi-early warning committee, focused on identifying likely threats to community peace, the committees serve as a bridge between the two main groups. The community leaders identified rumour control and management as a major achievement of the neighbourhood watch committee; by its activities they argue the committee has on several occasions curbed the outbreak of violence by identifying, investigating and if necessary correcting and reversing damaging rumours.

The VGN actively participate in policing duties such as arrest, detention, and interrogation of suspected criminals. In most cases, they hand over the suspects to the police. Here the VGN members are not necessarily interested in what is captured in the respective laws and codes that guide policing; of importance is what they regard as practice, policing practice as carried out by the NPF. Here the police are again the authority that is regulating practice, plurality is therefore operating within a dynamic that has structure and is organised.

## **Conclusion**

I have argued in this paper that the historical and contemporary context of the research area is characterised by plural processes that have created hybrid policing landscapes. This refers to the plural character of policing actors - state and non-state, and the everyday practice of policing. While policing by force has continued to be a constitutive feature of policing practice, particularly the practice of vigilante groups. We also see how their quest for social legitimacy, and longevity of practice necessitates the embracing of civic practices. For vigilante groups to continue to function alongside state security institutions within a context of accountability and

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<sup>49</sup>Ibid,

transparency, there is a place for clear-cut rules and regulations guiding their activities. A start would be to require all vigilante groups to register with relevant national and local authorities.

To ensure that vigilante groups operate within legal frameworks, respect human rights values, and other obligations, it is necessary to establish processes of monitoring and supervision. In other words, clear implementation and oversight processes must accompany legal frameworks regulating vigilante practice. In this sense, the practice of licensing regimes for vigilante groups with provisions to renew such licenses periodically (annually) provided they meet certain requirements and minimum standards, becomes an interesting option to explore. Oversight mechanisms can be through traditional rulers, local government, local police, local civil society organisations, or the state government/Province.<sup>50</sup> It is possible to improve the effectiveness and accountability of vigilante groups with oversight, supervision and close monitoring. These are processes that go beyond legal frameworks; oversight mechanisms seek to regulate practice and make sure vigilante groups are positively contributing to maintaining law and order, and ensuring the security of citizens and communities.

Vigilante members for instance are aware that the Nigerian state through the police still reserves the right and might to proscribe and dismantle vigilante practice, as was the case albeit for a brief period in some parts of Nigeria in the 1990s. This is informed by the understanding of constituted practices of the state bureaucracy and practices of bureaucrats.<sup>51</sup> For instance we may understand how the police and vigilante members (as bureaucrats) deal with the laws they

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<sup>50</sup> However, it must be noted that the mere passage of a law by the state without its proper implementation may cause more problems. An example of such a scenario is Nigeria's Anambra state where the Bakassi Boys (a vigilante group) was incorporated and regulated by the state. A law was passed by the state House of Assembly to that effect providing for its funding, operations and relationship with the police. The group however, eventually got out of hand and had to be proscribed by the Nigerian government.

<sup>51</sup> Bierschenk, Thomas and Olivier De Sardan, Jean-Pierre (Eds). *States at Work: Dynamics of African Bureaucracies*. Leiden: Brill, 2014.

are governed by.<sup>52</sup> We can understand how officials negotiate formal rules. As a Divisional Police Officer in one of the local governments within my study area noted – “We have policing as law and policing as practice. If you want to talk about policing in the law and rulebooks, you go talk to my Commissioner. However, if you want to talk about policing as practice, then I can help you.”<sup>53</sup> In other words, policing practice is not strictly, what obtains in the legal frameworks, it is equally the practices that individual actors engage with daily. Within a given social context, state-practice – policing practice is conceived as a back and forth mediated negotiation.

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<sup>52</sup> Marenin, Otwin. “Policing Nigeria: Control and Autonomy in the Exercise of Coercion.” *African Studies Review*, Vol.28, No.1, 1985: 76-7876.

<sup>53</sup> Interview DPO Shendam, LGA, 10.10.2012.

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